

# JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

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SECOND DAY, THURSDAY, JANUARY 6, 2005

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Father David Buescher.

Gracious Father, creator of human society, yesterday these men and women bound themselves together here to thank You for the tasks at hand, to ask Your guidance and provision, and to promise honesty and integrity. They have been preparing for months for this blessed responsibility. On Your part, make Your covenant with them to be with them in all the affairs of this House, today and all days – the ups and downs, the agreements and disagreements, the victories and losses, the joys and the wounds.

Let Your civility reign profoundly in these hearts in respect and fair play, Your wisdom work through them uncovering new ways to manage difficult times. Let reason be as Your hand to navigate through all negotiations. We stand conscious of Your uniting and empowering presence in the body, mind, and soul of this august assembly. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the first day was approved as corrected by the following vote:

AYES: 160

Aull	Baker 123	Baker 25	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 10	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 110	Harris 23	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Ice	Jackson	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Low 44	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda

Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright-Jones	Wright 137	Wright 159
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery                      Curls

VACANCIES: 001

### **SPECIAL RECOGNITION**

Miss Missouri, Whitney Stewart Weeks of Chesterfield, Missouri, was introduced by Representative Icet.

Miss Weeks addressed the House.

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 25

and

- House Resolution No. 26 - Representative Liese
- House Resolution No. 27 - Representative Smith (14)
- House Resolution No. 28 - Representative Parson
- House Resolution No. 29 - Representative Sander
- House Resolution No. 30 - Representative LeVota
- House Resolution No. 31

and

- House Resolution No. 32 - Representative Ervin
- House Resolution No. 33 - Representative Dethrow
- House Resolution No. 34 - Representative Pearce
- House Resolution No. 35 - Representative Jolly
- House Resolution No. 36 - Representative Behnen
- House Resolution No. 37 - Representative Quinn
- House Resolution No. 38
- through
- House Resolution No. 40 - Representative Smith (14)

## **HOUSE CONCURRENT RESOLUTIONS**

Representative Parker offered House Concurrent Resolution No. 5 through House Concurrent Resolution No. 8.

Representative Bivins, et al., offered House Concurrent Resolution No. 9.

## **INTRODUCTION OF HOUSE JOINT RESOLUTION**

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 7**, introduced by Representatives Kingery, Phillips, Whorton, Myers, Curls, Wilson (119), Meadows, Vogt and Meiners, relating to the general assembly.

## **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 171**, introduced by Representative Parker, relating to contributions to certain nonprofit organizations with a health-related mission.

**HB 172**, introduced by Representatives Yates, Kraus, Bivins and Pratt, relating to student enrollment hearings.

**HB 173**, introduced by Representatives Yates, Kraus, Pratt, Dusenberg, Bivins, Cooper (158), Page, Sater, Phillips and Stefanick, relating to gambling moneys for schools.

**HB 174**, introduced by Representatives Wood, Pearce, Robb, Kratky and Schneider, relating to real estate agents and brokers.

**HB 175**, introduced by Representative Schaaf, relating to the practice of medicine.

**HB 176**, introduced by Representatives Roorda, Walsh, Meadows, Wildberger, Henke, Page and Oxford, relating to fire protection districts.

**HB 177**, introduced by Representatives Weter, Chinn, Goodman, Denison, Dusenberg, Day, Meiners, Sater, Kraus and Wright (137), relating to counties posting photographs of registered sexual offenders on the Internet.

**HB 178**, introduced by Representatives Yates and Johnson (47), relating to municipal judges ability to contract for or employ a city probation officer.

**HB 179**, introduced by Representative Smith (14), relating to Sunday liquor sales.

**HB 180**, introduced by Representatives Johnson (47), Kraus, Dusenberg, Skaggs, Lowe (44), Yates and Young, relating to police military leave.

**HB 181**, introduced by Representative Jackson, relating to a tax refund designation for law enforcement.

**HB 182**, introduced by Representatives Ruestman, Nieves, Dempsey, Bean, Fisher and Lipke, relating to cosmetology.

**HB 183**, introduced by Representative Jackson, relating to highway lane usage.

### **SECOND READING OF HOUSE JOINT RESOLUTIONS**

**HJR 1** through **HJR 3**, **HJR 5** and **HJR 6** were read the second time.

### **SECOND READING OF HOUSE BILLS**

**HB 26** through **HB 41**, **HB 43** through **HB 67**, **HB 69** through **HB 117**, and **HB 119** through **HB 170** were read the second time.

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCR 1**.

#### **SENATE CONCURRENT RESOLUTION NO. 1**

BE IT RESOLVED by the Senate, the House of Representatives concurring therein, that the President Pro Tem of the Senate and the Speaker of the House appoint a committee of thirty-six members, one-half from the Senate and one-half from the House to cooperate in making all necessary plans and arrangements for the participation of the General Assembly in the inauguration of the executive officials of the State of Missouri on January 10, 2005; and

BE IT FURTHER RESOLVED that the joint committee be authorized to cooperate with any other committees, officials or persons planning and executing the inaugural ceremonies keeping with the traditions of the great State of Missouri.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following committee to act with a like committee pursuant to **SCR 1**: Senators Callahan, Cauthorn, Champion, Clemens, Coleman, Dolan, Gibbons, Graham, Griesheimer, Gross, Green, Klindt, Loudon, Scott, Shields, Vogel, Wheeler and Wilson.

## **WITHDRAWAL OF HOUSE BILL**

January 6, 2005

Mr. Stephen Davis, Chief Clerk  
Missouri House of Representatives  
State Capitol  
Jefferson City, MO 65101

Dear Mr. Davis:

With this letter, I respectfully request that **House Bill No. 38** be withdrawn. I have filed a revised version of this legislation.

Thank you.

Sincerely yours,

/s/ Jack Jackson  
89<sup>th</sup> District

## **ADJOURNMENT**

On motion of Representative Dempsey, the House adjourned until 9:00 a.m., Monday, January 10, 2005.

## **OATH OF OFFICE**

Representative-elect Melba Curls subscribed to the oath of office, which was administered at 12:06 p.m. by the Honorable Rod Jetton, Speaker of the House of Representatives.

Representative-elect Jim Avery subscribed to the oath of office, which was administered at 3:55 p.m. by the Honorable Rod Jetton, Speaker of the House of Representatives.

## **CORRECTION TO THE HOUSE JOURNAL**

Correct House Journal, First Day, Wednesday, January 5, 2005, Page 1, Line 15, by inserting after said line the following:

“The Missouri State Highway Patrol, Troop F, presented the Colors and the Pledge of Allegiance to the Flag was recited.”

**HOUSE CALENDAR**

THIRD DAY, MONDAY, JANUARY 10, 2005

**HOUSE JOINT RESOLUTION FOR SECOND READING**

HJR 7

**HOUSE BILLS FOR SECOND READING**

HB 171 through HB 183